

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MICHAEL CRUSAN, SR.,

4 Plaintiff,

5 v.

6 BRIAN WILLIAMS, SR., *et al.*,

7 Defendants.

Case No. 2:24-cv-00702-CDS-EJY

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
ORDER

On April 11, 2024, Plaintiff, an inmate proceeding *pro se*, submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff’s IFP fails to include his inmate financial certificate and trust fund account statement for the previous six-month period. Plaintiff also failed to sign the penalty of perjury declaration on page 3 of his IFP application. Even if Plaintiff has not been at the Nevada Department of Corrections facility a full six-month period, Plaintiff must still submit a financial certificate and an inmate trust fund account statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that on or before **June 21, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete application to proceed *in forma pauperis* on or before **June 21 2024**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

1 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
2 but will not file it at this time.

3 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved
4 form application to proceed *in forma pauperis* for inmate along with the information and instructions
5 for filing the same.

6 DATED this 23rd day of April, 2024.

7 
8
9 ELAYNA J. YOUCRAH
10 UNITED STATES MAGISTRATE JUDGE

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28